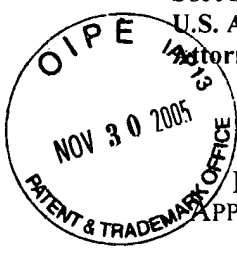


AF ZW



**SUPPLEMENTAL APPEAL BRIEF UNDER 37 C.F.R. §41.37**

U.S. Application Serial No. 09/879,825

Attorney Docket No. 031792-0311564

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE PATENT  
APPLICATION OF:

Craig W. BARNETT *et al.*

SERIAL NO.:

09/879,825

ATTORNEY  
DOCKET NO.:

031792-0311564

FILING DATE:

June 12, 2001

ART UNIT :

3622

EXAMINER

A. DURAN

FOR:

METHOD AND SYSTEM FOR ELECTRONIC DISTRIBUTION OF PRODUCT  
REDEMPTION COUPONS

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**SUPPLEMENTAL APPEAL BRIEF UNDER 37 C.F.R. §41.37**

**Mail Stop Appeal Brief - Patents**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA. 22313-1450

Dear Sir:

In response to the Notification of Non-Compliant Appeal Brief mailed November 14, 2005, and further to Appellants' Brief on Appeal filed on February 10, 2005, Appellants submit this Supplemental Appeal Brief.

Although it is believed that no fees are due in connection with the filing of this Addendum, the Director is authorized to charge any fees that may be due to Deposit Account No. 033975 (**Ref. No. 031792-0311564**).

**REQUIREMENTS OF 37 C.F.R. §41.37**

At page 38 of Appellants' Brief on Appeal as filed on February 10, 2005, please add the following two headings after the heading entitled "VIII. CLAIMS APPENDIX":

**IX. EVIDENCE APPENDIX - 37 C.F.R. §41.37(c)(1)(ix)**

None.

**X. RELATED PROCEEDINGS INDEX - 37 C.F.R. §41.37(c)(1)(x)**

**Exhibit A:** A Memorandum and Order Regarding Patent Claim Construction issued December 16, 2003, as described in the Appeal Brief at pg. 2 under the heading entitled "II. RELATED APPEALS AND INTERFERENCES."

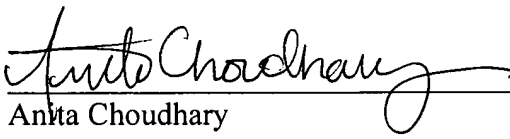
**Exhibit B:** A Summary Judgment order was issued February 18, 2005, and is included herewith.

**REMARKS**

Appellants respectfully submit this Supplemental Appeal Brief in response to the Notice of Non-Compliant Appeal Brief mailed November 14, 2005. If any additional information is required, please do not hesitate to contact the undersigned at the number provided.

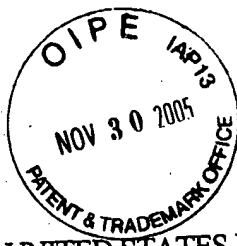
Date: **November 30, 2005**

Respectfully submitted,

By:   
Anita Choudhary  
Registration No. 56,520

**Customer No. 00909**

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
SOUTHERN DIVISION

BLACK DIAMOND CCT HOLDINGS,  
LLC, *et al.*,  
Plaintiffs,

v.

COUPONS, INC.,  
Defendant.

CIVIL ACTION NO. RDB-02-3701

ORDER

The parties having filed cross-motions for summary judgment and the Court having conducted a hearing on February 3, 2005, and for the reasons set forth in the foregoing Memorandum Opinion, IT IS this 18<sup>th</sup> day of February, 2005 HEREBY ORDERED that:

1. The Motion for Summary Judgment on Patent Infringement of Plaintiff Black Diamond CCT Holdings LLC and E-Centives, Inc. (collectively "Black Diamond") (Paper No. 221) is DENIED;
2. The Motion for Partial Summary Judgment on No Infringement of Defendant Coupons, Inc. ("Coupons") (Paper No. 225) is DENIED;
3. Defendant Coupons' Motion for Summary Judgment on Invalidity (Paper No. 222) is DENIED;
4. Plaintiff Black Diamond's Motion for Summary Judgment on No Invalidity (Paper No. 228) is DENIED; and

5. The Clerk of the Court transmit copies of this Order and accompanying Memorandum Opinion to counsel for both parties.

/s/

Richard D. Bennett  
United States District Judge